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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm and Ammunition

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: Maximum 15 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment; and, forfeiture

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
DIVISION- OAKLAND**DEFENDANT - U.S.**

DARNEKO YATES

DISTRICT COURT NUMBER

CR 23 0318

AMO

PROCEEDINGName of Complainant Agency, or Person (& Title, if any)
Federal Bureau of Investigation☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underName and Office of Person
Furnishing Information on this form ISMAIL J. RAMSEY☒ U.S. Attorney ☐ Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) Richard Ewenstein**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

FILED

SEP 21 2023 BAR

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☒ On another conviction } ☐ Federal ☒ State
- 6) ☐ Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAHas detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed 08/30/2023

DATE OF
ARRESTMonth/Day/Year
08/27/2023

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

UNITED STATES OF AMERICA,

V.

DARNEKO YATES

RECEIVED BY CLERK
OF THE COURT

FILED

SEP 21 2023 B A

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition;
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) – Forfeiture Allegation

CR 23 0318

AMO

A true bill.

/S/ Foreperson of the Grand Jury

Foreman

Filed in open court this 21st day of

September, 2023

Clerk

Kandis Westmore
Bail, \$ NO BAIL
9/21/23
HON. KANDIS A. WESTMORE, U.S. MAGISTRATE JUDGE

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

FILED

SEP 21 2023 *BAR*

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMO

OAKLAND DIVISION

CR 23 0318

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARNEKO YATES,

Defendant.

CASE NO.

VIOLATION:

18 U.S.C. § 922(g)(1) – Felon in Possession of a
Firearm and Ammunition;
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) –
Forfeiture Allegation

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition)

On or about August 27, 2023, in the Northern District of California, the defendant,

DARNEKO YATES,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, namely, one Glock 23 .40 caliber handgun bearing serial number XPG519, and loaded with ammunition, namely, eleven rounds of .40 caliber Smith & Wesson ammunition, and the firearm and ammunition were in and affecting interstate and/or foreign commerce, all in violation of Title 18, United States Code, Section 922(g)(1).

INDICTMENT

1 FORFEITURE ALLEGATION: (18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))

2 The allegations contained in the sole count of this Indictment are re-alleged and incorporated by
3 reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)
4 and Title 28, United States Code, Section 2461(c).

5 Upon conviction of the offense set forth in this Indictment, the defendant,

6 DARNEKO YATES,

7 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28,
8 United States Code, Section 2461(c), any firearm and ammunition involved in the commission of the
9 offense, including, but not limited to, the following property:

- 10 a. One Glock 23 .40 caliber handgun bearing serial number XPG519 seized on August
11 27, 2023 in San Pablo, California; and
12 b. Eleven rounds of Smith & Wesson .40 caliber ammunition.

13 If any of the property described above, as a result of any act or omission of the defendant:

- 14 a. cannot be located upon exercise of due diligence;
15 b. has been transferred or sold to, or deposited with, a third party;
16 c. has been placed beyond the jurisdiction of the court;
17 d. has been substantially diminished in value; or
18 e. has been commingled with other property which cannot be divided without
19 difficulty,

20 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
21 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

1
2 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United States Code,
3 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.
4

5 DATED: September 21, 2023

A TRUE BILL.

6
7 /s/ Foreperson

8
9 FOREPERSON
Oakland, California

9 ISMAIL J. RAMSEY
United States Attorney

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12 Richard Ewenstein
Assistant United States Attorney
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